

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION))))	MDL NO. 1456 Civil Action No. 01-12257-PBS Subcategory Case No. 03-10643-PBS
THIS DOCUMENT RELATES TO: <i>The City of New York, et al.,</i> v. <i>Abbott Laboratories, et al.</i>)))))))	Judge Patti B. Saris

[PROPOSED] SETTLEMENT ORDER OF DISMISSAL

Saris, U.S.D.J.

WHEREAS, the Court having been advised during the Status Conference held on June 22, 2011 that settlements have been reached between Plaintiffs The City of New York and various New York Counties (“Plaintiffs”) and Defendants Alpharma Inc., Purepac Pharmaceutical Co., Eli Lilly and Company, Endo Pharmaceuticals Inc., King Pharmaceuticals Inc., King Research and Development, Monarch Pharmaceuticals Inc., Merck & Co. Inc., Mylan Laboratories Inc., Mylan Pharmaceuticals Inc., UDL Laboratories Inc., Par Pharmaceutical Company Inc., Par Pharmaceutical Inc., Roche Laboratories Inc., Hoffman-La Roche Inc., Schering-Plough Corp., Schering Corporation, Warrick Pharmaceuticals Corporation, TAP Pharmaceutical Products Inc., and Watson Pharmaceuticals Inc., and Watson Pharma Inc. in the above-entitled action;

IT IS ORDERED that all claims against Defendants Alpharma Inc., Purepac Pharmaceutical Co., Eli Lilly and Company, Endo Pharmaceuticals Inc., King Pharmaceuticals Inc., King Research and Development, Monarch Pharmaceuticals Inc., Merck & Co. Inc., Mylan Laboratories Inc., Mylan Pharmaceuticals Inc., UDL Laboratories Inc., Par Pharmaceutical Company Inc, Par Pharmaceutical Inc., Roche Laboratories Inc., Hoffman-La Roche Inc., Schering-Plough Corp., Schering Corporation, Warrick Pharmaceuticals Corporation, TAP Pharmaceutical Products Inc., and Watson Pharmaceuticals Inc., and Watson Pharma Inc. in this action are hereby dismissed without costs and without prejudice to the right of any party, upon good cause shown, to reopen the action within ninety (90) days if settlement is not consummated.

SO ORDERED _____, 2011

PATTI B. SARIS
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, James P Carroll Jr, hereby certify that I caused a true and correct copy of the foregoing [PROPOSED] SETTLEMENT ORDER OF DISMISSAL to be served on all counsel of record via electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by submitting a copy to Lexis/Nexis File & Serve for posting and notification to all parties.

Dated: June 27, 2010

/s/ James P. Carroll Jr
James P. Carroll Jr